

REMARKS

The Applicants respectfully request reconsideration in view of the following remarks and amendments. Claims 1, 5, and 9 are amended. Accordingly, claims 1-15 are pending in the application.

I. Claims Rejected Under 35 U.S.C. § 102

Claims 1-15 are rejected under 35 U.S.C. § 102(b) as being anticipated “Using XML Schemas to Create and Encode Interactive 3-D Audio Scenes for Multimedia and Virtual Reality Applications,” by Potard (hereinafter “Potard”). To establish an anticipation rejection the Examiner must show that the cited reference teaches each element of a claim.

Claim 1, as amended, recites the elements of “the size of the sound source determined by a difference of coordinates in the three-dimensional space from a center of the sound source represented by the spatiality extension information.” The amendments are supported, for example, by page 9, lines 12-17 of the Specification. Potard fails to teach these elements. Instead, Potard discloses in Table 1 that each sound source may include attributes such as *spatial size and shape*. See Potard, Section 2.1. However, Potard fails to teach that the spatial size of the sound source is determined based on “a difference of coordinates in the three-dimensional space from a center of the sound source,” as recited in claim 1. Thus, in view of at least these foregoing reasons, Potard fails to teach each element of claim 1. Accordingly, reconsideration and withdrawal of the rejection of claim 1 are respectfully requested.

In regard to claims 5 and 9, these claims, as amended, recite analogous limitations to those in claim 1. Therefore, for at least the reasons mentioned in connection with claim 1, Potard fails to teach each element of base claims 5 and 9 as well. Accordingly, reconsideration and withdrawal of the rejection of claims 5 and 9 are respectfully requested.

Further, in regard to dependent claims 2-4, 6-8, and 10-15, these claims are patentable over the cited art because each of these claims depends on base claim 1, 5, or 9. Accordingly, reconsideration and withdrawal of the rejection of claims 2-4, 6-8, and 10-15 are respectfully requested.

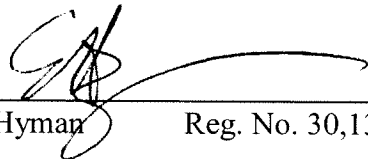
CONCLUSION

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207 3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

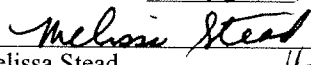
Dated: 4/28, 2008


Eric S. Hyman Reg. No. 30,139

1279 Oakmead Parkway
Sunnyvale, CA 94085-4040
(310) 207-3800

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this paper is being transmitted online via EFS Web to the Patent and Trademark Office, Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450, on 4-29, 2008.


Melissa Stead 4-29, 2008